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Migration and Identity in Post-Referendum Scotland

Abstract

This paper examines migration and identity in contemporary Scotland and engages on-going debate about the relationship between nationalism and cosmopolitanism. The paper employs Arendt's maxim of the 'right to have rights' to suggest that while identity would not be the sole or specific focus of policy, more well-developed social policy attuned to the complexities of identity formation would facilitate multi-cultural and multi-ethnic social identification.

Introduction

The constitutional position of Scotland vis-à-vis other geographical and political entities is a complex one that has been subject to considerable debate. If a general conclusion can be reached it would appear that Scotland might be productively viewed as a nation but not as a state, a political construction with few parallels (Mitchell 1996: McCrone 2017). For Davidson (2000), the 'fact' of Scotland as a distinct political and cultural entity did not emerge until the Act of Union in 1707. That is, the creation of Britain also forged notions of Scottishness that were then implicitly defined in relation to Britain. Indeed up until the present, Scottishness has largely been defined in relation to what it is not; Englishness and/or Britishness. Thus inter-relational complexities within and between Scottishness, Englishness and Britishness continues to co-exist with issues of multiple identities and identifications (Brubaker and Cooper 2000: Broun, 2013: Wellings 2007).

It is into this broad problematic that the on-going debate on Scotland's future can be placed. On September 18th 2014 Scottish residents, regardless of whether or not they had British citizenship, were asked the question 'Should Scotland be an independent country?' It might be possible to delineate the debate in terms of procedural and institutional matters on the No side, and policy, within tight political parameters, on the part of the Scottish Government (see Scotland's Future). In that demarcated contest, issues of identity emerged, most notably around self-defined national political proclivities, with the Yes side emphasising a more social democratic political culture in Scotland, the 'egalitarian myth', but with it a defence of welfarism, and some of the No side stressing Scotland's key role in the creation of British institutions associated with that welfarism, positing Britain as guarantor of the welfare state (see for example Law 2015, Money 2016 and Mooney and Scott 2015). The social relations of welfare and what they might mean for the British state, for Scotland and for many Scottish residents remained implicit.

This article seeks to link issues of identity and rights alongside questions of the future direction

of Scotland. It focuses on the place of migrant identity, identification, how identities played out in the referendum debate, and how the concept of belonging would relate to those issues in the future. These issues appear even more pressing given the result of June 2016's referendum on the UK's membership of the EU. The perspective taken here seeks to draw together a more radical view of the relationship between migration, social policy, and 'the right to have rights' (Arendt, 1973), with a focus on persistent tensions between the inclusion and exclusion of people from access to rights.

The links between citizenship and rights are well established (see Marshall 1950). Less so are those links between rights and identity, or rights and sense of belonging. The article does not fully engage Marshall's conceptualisation of citizenship and rights but would question the national and legalistic as the dominant prism through which citizenship rights would be viewed. While immigration policy is a reserved matter, immigrant policy is largely devolved (see Hammer 2006). Thus despite limitations on what is possible given the present constitutional set-up, the right to have social rights are largely devolved. That is, rights as a whole are not entirely tied to national/legal constructions, and it is this wider sense of rights that are at issue with a key component being how those rights would affect migrant identities and a sense of belonging. Rights and identities are thus seen as linked and social citizenship viewed as separate from political citizenship (Dean 2015).

Questions of identity have been subject to considerable analysis and controversy and often linked to modernity (Hall 1992). This view posits identity in concert with crisis, driven by the exigencies of neoliberalism. A range of literature addresses the confluence of national identity, nationalism and citizenship issues (Gellner, 1987; Smith, 2003; Achijo, 2009; Mitchell, 2014). The importance of cultural identity as it would pertain to nation states in particular can be usefully emphasised; "People are not only legal citizens of a nation: they participate in the *idea* of the nation as represented in its national culture" (Hall 1992 292). As contributors and 'carriers' of national cultures people are therefore seen as reproducing the meanings of 'the nation', sometimes through the creation of solidarities (Frodin 2013).

The article also seeks to engage with ongoing debates about identity and the relationship between the individual and the collective within the context of multicultural societies. Frodin (2013), for example, argues for the importance not of national identities as a means of creating solidarities, but of 'domain consensus', while Calhoun (2008) suggests that nationalism and cosmopolitanism are not the polar opposites that they are often thought to

be. The latter argues that no longer engaging with collective identities risks a rampant individualism, and the former suggests that the sharing of similar 'cognitive dispositions' regarding issues such as rights can create social solidarities within and/or beyond the national. This article seeks to integrate both of these insights into an understanding of migration and identity in post-referendum Scotland that would contribute to literature on Scottish identity (Pittock, 2001: Rosie and Bond, 2008: Mycock, 2014: Leith and Soule, 2012;).

Of specific interest for this paper, the importance of Britain and Britishness as a source of identity *appeared* to diminish in Scotland from the 1980s (Bechhofer and McCrone 2010). aNotably such decline was not accompanied by a coterminous increase in support for Scottish independence, though demands for devolution suggest that constitutional change and Scottish identity were indeed related. Research on measures of Scottishness, often done through the Moreno scale, tend to provide at best relational indicators, not whether national identities would matter in and of themselves. Indeed some research suggests that social and familial identities are afforded greater prominence than national identities in Scotland (Bond 2006), with class, cultural and religious identities adding ever more complexity. Nevertheless, one of the reasons for the increased salience of Scottish identity in the recent past is said to be the diminution of a unifying British 'project', once found within the context of Empire, and more recently perhaps in the British welfare state. As such, the Scottish referendum campaign for some scholars came to be concerned with competing visions of the welfare state, between a universalistic principle, or a constrained form of universalism (**Author** 2017), and one defined more by means-testing and rationalisation (see for example Mooney 2014). Constitutional change from this perspective held the potential to link social policy and national identities in profound ways. As Williams and Mooney (2008 491) suggested, "devolution has disrupted some 'traditional' sense of 'Britishness', prompting several prominent New Labour politicians and advisors (including Prime Minister Gordon Brown) to repeated efforts to celebrate Britishness as a UK-wide source of identity". That this perhaps forlorn effort was then contested as somewhat un-British by then Prime Minister in waiting Cameron adds nuance to the issue (Mishra, 2017).

It is into this complex set of identity issues and formations among people living in Scotland that migration can be included. Migrants move with their own identities but these identities along with those in the country of destination are fluid and contingent. As such, shifting

identity formations may be said to play an increasingly pivotal role in the relations of contemporary populations and social citizenship.

The Place of Identity in the Scottish Referendum

The results of the Scottish referendum are now well known, with roughly 55% of the population voting No to independence and 45% voting Yes on a record 84% turnout. From this overall picture geography, class and age provided some interesting differences. Put crudely, working class voters and the young tended more towards the Yes side of the question, with middle class voters and the elderly towards the No side. The majority of voters in all age groups 49-years old and younger voted Yes, while 53.6% of working class voters and 61.9% of people in social housing voted Yes (Mitchell and Henderson 2015). Among those born outside of the UK 42.9% voted Yes, closely mirroring the overall result, while 'migrants' born in other parts of the UK voted No in large numbers, 72.1% (ibid).

Two small studies carried out among minority and migrant communities suggested similar complexities with, for example, those of Pakistani origin favouring a Yes vote but less strongly among older members of those communities (Author 2015). Two studies of those of Polish nationality in Scotland showed contradictory results, one showing a narrow Yes vote, and one a narrow No vote, while both showed high levels of intention *to* vote. Notably, Polish and Scottish Pakistani votes *did* also appear to exhibit some of the same class characteristics to the overall population if class is taken in occupational terms, with those with better-paid jobs more likely to vote No (Pietka 2014, author 2015).

It was an interesting though little commented on development that the referendum vote was open to all Scottish residents, not just British 'political' citizens living in Scotland. Following eligibility criteria for local elections in Scotland meant that voting rights were associated with living *in* Scotland, rather than British citizen status as in the case of the EU referendum and the UK General Election. This allowed many migrants the chance to participate.

Thus in the referendum the franchise located within social rather than political belonging. The degree to which migrants living in Scotland would identify with Scotland and Scottishness and/or identify with the cities and communities in which they live are dimensions of inclusivity or exclusivity that has been little researched (Meer 2015) but may be important indicators of

where Scotland might be situated analytically in terms of race, nationality, and belonging. These dimensions are also likely to have both spatial and temporal as well as class and gendered elements. That is, belonging need not be linked to a large geographical unit but a locality; and belonging only emerges over time. However, identity and belonging cannot be considered the preserve of migrants and minorities themselves as *perceptions* of the inclusivity or exclusivity of identity as it pertains to belonging and their ability to have and importantly *use* rights are important mediating variables. That is, identification as well as self-prescribed identity matters (Brubaker and Cooper 2000). Such a view goes to the heart of issues of race and racism in the UK.

National Identity has always been predicated on difference (Hall 1996 6); “The unities which identities proclaim are, in fact, constructed within the play of power and exclusion, and are the result, not of a natural and inevitable or primordial totality but of the naturalized, over-determined process of ‘closure’ (Hall 1996 8). This does not mean that identity is worthless or should be avoided however. As Calhoun (2013) suggests, eschewing identity in its entirety risks moving towards reductive forms of individualism and away from any notion of solidarity. Indeed recent research points to some interesting developments in psychology that reassert identity and values as central to our sense of ourselves even above rational-cost/benefit measures of decision-making (Compton, 2010). Identity remains critically important even as we understand it to be evermore subject to fluidity and contingency. In the Scottish case, to date results of what might constitute Scottishness remain mixed if measured by public attitudes (Kiely et al 2001: McCrone 2002). While some research suggests birth and accent as key primordial identifiers of Scottishness, a Scottishness therefore related very much to ethnic identifiers, others suggest more open conceptions of Scottish identity. In terms of the latter, Hepburn and Rosie (2014 246) in a review of the evidence suggest, “few Scots, when asked, buttress claims to Scottishness through reference to their cultural background or ethnic authenticity. Rather, such claims draw upon the ‘territorial’ resources of birthplace and residence”.

The referendum campaign highlighted national identity and politics in Scotland as being in a state of flux. While the majority of people living in Scotland would identify in some way as being Scottish what this might mean is not clear and how others fit in still less so. It is the contention of this article that should identity in Scotland be encouraged as relatively open, and considered by migrants to be based on the right to have rights then Scotland might be

more likely to engender an open and multi-cultural sense of itself either within or outside of the UK. Should, however Scottish identity be viewed in more exclusive terms, based on primordial factors or birth and parentage, then possibilities for a comfortably diverse Scotland would be lessened. These issues need not rest solely on conceptions of national identity however. Should social citizenship be considered prior to political citizenship (Dean, 2015), this re-articulation would be bound to issues of social rights and access to social goods through social policy. For Law and Mooney, following Beland and Lecour, social policy can thus be a crucial tool in nation building (Law and Mooney 2012a). Social rights in the form of access to all aspects of state institutions therefore hold the potential to expand the constituencies involved in nation building. This suggests that any re-articulation of citizenship and indeed of identity should involve all residents of Scotland. As Law and Mooney (2012a 64) contend, “it is not the meaning of a word like ‘nation’ (or class for that matter) that makes it useful; but, rather, only in its use does the word become *meaningful*”. Thus to make ‘nation’ both conceptually and politically significant requires, in our view, a change of the policy approach away from the exclusion of the Westminster view of political citizenship towards a more inclusive social citizenship based on groupness, perhaps in the form of domain consensus, and solidarity. It is difficult to see this politics emerging within Westminster, though the recent electoral ‘success’ of Corbyn would aid such a development. However, it is our contention that the different discourse around migration, and indeed the welfare state, in Scotland makes this more of a possibility in Holyrood.

National and sub-national Policy and the Right to have Rights

There can be no such thing as a single policy around identity and belonging or indeed migration. Indeed the idea of a single ‘national’ policy in many policy areas, given both the devolved and devolving nature of the UK and the transversal nature of much policy is something of a misnomer. Nevertheless, in most cases identity in relation to ‘newcomers’, however defined, is viewed through the prism of migration and citizenship policy, and with it immigrant policy and practice. That is, how policy might prescribe who would have the right to have rights and who does not is crucially important. Any critical analysis of policy and practice around migration and citizenship issues in the UK is complicated by the transversal nature of migration as both a policy issue and the multi-level nature of governance in the UK. Almost all government departments and levels have policies either directly or indirectly affecting migrants. In terms of the devolution of responsibilities between the UK and Scotland, immigration policy is reserved, with most immigrant policy being devolved (Hammar 2006).

This means that control of entry and right to reside are Westminster responsibilities, alongside the ascription of certain rights, but most social policy is the responsibility of Holyrood. Additionally, migration policy at the UK level may be primarily the reserve of the Home Office but also involves many other government departments and policy areas. This includes Communities and Local Government, Education, Health, Department of Work and Pensions, Justice, Foreign affairs and others. At the Scottish level areas such as Education, Communities, Health, External affairs as well as local authority funding add to the complex mix. However, the division of competencies is shifting and unstable and reserved immigration policy impacts on devolved immigrant policy (Author 2015).

Nevertheless, migration from the perspective of political elites at both Westminster and Holyrood has always involved co-existing economic and political imperatives. The economics of migration, supported by business and all of the main Westminster and Holyrood parties, effectively views migrants as more or less productive units of labour and so access to migrants is encouraged within certain economic limitations. The politics of migration suggest a public that is concerned about the rate of migration, alongside a staunchly anti-migrant media who present migration as a threat to the welfare system, to security, and to 'the British way of life' (see for example Squire 2009, Menz 2009).

However, anti-immigration rhetoric in Westminster has not led to tight controls on total migratory movements. Supranational rules and regulations that limit what states can do while still being members of the 'club' are evident. The most obvious of these clubs is the EU, which places limitations on national policy around many free market issues, including the free movement of labour. The single European market in goods, services, capital and people, for Benhabib and Post (2006 46), suggests an unbundling of three constitutive dimensions to national citizenship, collective identity, privileges of political membership, and an entitlement to social rights and benefits. In theory, citizenship in a purely legal sense need not be required for rights in this disaggregated form. In practice, however, despite some rules around what states can do we are far from any broad post national rights regime (Soysal 1997). This is evident in the stratification of rights under both the present and past UK Governments in, for example, restricting access to welfare benefits and social housing. There is evidence to suggest that stratified rights do not positively affect sense of belonging (Ager and Strang 2004, Kofman 2006) such that citizens, denizens and helots (Cohen 1987) are likely to operate around very different contours of belonging.

With UK immigration and citizenship practices leading to a potential stratification of rights, alongside settlement being made increasingly difficult (Squire 2009), it should come as no surprise should migrants fail to develop a marked sense of belonging to the entity in which they live. It would seem politically ambitious for the state to deny rights to residents, sometimes for long periods, make it increasingly difficult to access political citizenship and the rights that accompany it, and then simultaneously wish for migrants to identify with and feel loyalty towards that state. Should Scotland diverge from the UK Government's stratification and encourage solidarities, whatever forms that may take, the sense of belonging among new residents and existing minorities would need to be encouraged through access to social policy, and there is some evidence that policy *can* have an impact in this regard (Uberoi and Modood 2013). Nevertheless, at present Scottish policy contains only marginal policy differences, though the political rhetoric and narrative is certainly very different (Author 2017), as witnessed again recently in the differing responses to the place of EU citizens post-Brexit. What is more, as the UK leaves the EU, the legal position of citizens of EU states is unclear. In such a situation the right to access social rights, and importantly be seen to have the right to such rights, could not be more pressing.

The right to have social rights

The concept of integration has perhaps been the key political tool that establishes the way UK Governments view the processes of migrant access to rights. There is an important assumption implicit in the way the UK Government tends to view integration; that the onus is on individuals to integrate rather than providing appropriate structures to facilitate integration. This suggests that policy that seeks to integrate can individualise collective problems or else not view broader policy areas as having an integrative role or impact (see Levitas 2000 for a similar critique of the Government view of social exclusion). Linked to this, as Miles (1993) argues, the concept of integration assumes that migrants have not yet been considered an important part of creating the institutions that they are being told they must now integrate into. This projects a view that migrants would fall outside of 'us', that in terms of identity or belonging 'they' would always constitute the 'other' that 'we' would choose to tolerate - or prohibit.

Despite these concerns there is a considerable global literature on migrant integration both in terms of theory (Alba and Nee 2005: Portes et al 2005: Ager and Strang 2004) and empirical and policy studies (Alba and Nee 2005: Portes and Bach 1985; Cheung and Phillimore 2014),

although much of the empirical work has tended to focus on specific 'domains' of integration such as employment and/or education. This more narrow focus is partly because of an absence of governmental attempts at a broader policy approach to integration, both due to a perceived lack of political desire to do so, and also due to the multi-levelled and transversal nature of integration. That is, it is difficult because everything is related to everything else (Majone 1989 158).

There is some suggestion that the pluralist and multiculturalist parts of the UK's approach is now being questioned (Kostakopoulou 2010); with former Prime Minister David Cameron stating that the latter has failed. While, it is important not to overstate this shift, as multicultural practice remains strong (Uberoi and Modood 2013), it *does* perhaps appear even-handed to suggest that UK politics, at least at the rhetorical level, has witnessed a decade or more of pushing Britishness as both a unifying identity and the *perceived* foundation of a sense of belonging. Tony Blair in 2006 highlighted the need for newcomers to 'adopt our values' as part of a 'duty to integrate' into Britain (Blair 2006) while David Cameron argued for a reemphasis on the values that made up Britishness (Mail on Sunday June 15th 2014). More recently Teresa May argued for the need to identify with Britain or else risk not identifying with anywhere (Speech to Tory party conference Oct 5th 2016). These statements on the importance of 'British values' and Britishness were accompanied by specific policies such as 'life in the UK' tests for would be citizens and the compulsory teaching of citizenship as part of the national curriculum in English schools. However, it is worth noting in this regard that senior politicians appeal to Britishness was often more directly related to their sense of Englishness. This merging of England and Britain (Welling 2007) is seen, for example, in John Major's comments of Britain's future remaining one of warm beer and county cricket grounds (Speech made to Conservative Group for Europe April 23rd 1993).

Much of the UK Government's focus on 'Britishness' and its relationship to migration and integration has been based around the notion of making migrants less different from the dominant culture (Kostakopoulou 2010: Threadgold and Court 2005), suggesting an assimilationist approach in which 'they' would integrate with a welcoming Britishness. Migrants in this scenario would be encouraged to assimilate into a set of loosely defined British values, but receive little support beyond prescriptive tests regimes in ascertaining what these values might be. Simultaneously, migrants are denied the right to access social goods. So, for example, the Westminster government restricts access to social security, to healthcare

and to social housing for all migrant communities (Author 2017; Morris 2016). For those seeking citizenship the wait to begin the process of naturalisation is extended. In practice therefore policy might be considered to have encouraged a sense of Britishness as a singular and unifying identity or subject formation, but has paid little cognisance to those explicitly excluded from it and those unable to fully use the rights that they *do* have or how these formations would be reflected or develop at the national level (Leith and Soule 2012). Put simply, such policy appears one-dimensional, seeking loyalty to a singular yet ill-defined set of values whilst simultaneously disaggregating the population into citizens, denizens, and helots.

However, the binary of 'them' and 'us' evident in policy, or national/foreigner, citizen/migrant for Benhabib (2006 68) does not capture peoples identities and therefore says little about their belonging. Many citizens retain an identity as being from migrant backgrounds and many nationals are foreign born. Arendt (1973 297) points out that humans do not *obtain* rights simply due to being humans but can only do so as part of a *political* community. Thus, reciprocated recognition of belonging to that community is vital. Access to rights as part of a national political community, one that would acknowledge the right to these rights could facilitate affiliation and solidarity.

This issue of access to social citizenship is therefore tied to the question of rights, the right to have rights and belonging. The right to have rights is ostensibly about the right to belong to a political community, be that a nation, another spatial community such as city or locality or to other political units altogether. While the national matters, what constitutes the national in the Scottish case is itself contested. Nation states within defined territories set many of the parameters of rights, and so implicitly also circumscribe the legalistic side of belonging. However, rights can only exist through mutual political agreement. If a 'person' is to be recognised as a political actor, then such acknowledgement would include having the right to claim belonging to political communities. The process of recognition of those claims is indeed complex, but the UK Government might be considered to have initiated the effective de-recognition of persons as political actors by stratifying or even removing rights (Morris 2016, Squire 2009). The next section of the paper develops the possibility of Scotland moving in a contrary direction, inclusive of a more universalist approach to the right to have rights and ultimately to social citizenship.

Scottishness and Britishness in Scotland

Debates about the referendum and about the potential offered by Scottish independence in 2014 led to a renewed focus on the social, political, and economic composition of Scotland as a distinctive 'national' entity. This refocus inevitably led to arguments about the wider constituencies of Scotland as an emergent entity. For Mooney and Scott (2015 7) arguments on either side of the referendum debate "are at the heart of long-standing and on-going controversies about the nature of Scottish society and of Scottish identity, indeed of Scottishness itself". Arguments about a supposed social democratic norm in the process of defining 'Scotland', often in relation to that which it is not, singularly failed to address racial, class and gendered inequalities, presenting a unitarist notion of identity, similar to that of Britishness. Nevertheless, the process of defining Scottishness did lead to some more complex debates

Just what 'the nation', identity and belonging might be in relation to Scotland remains contested terrain. For Williams and Mooney, analysis not only has to move beyond a simplistic centre/periphery paradigm, but also from the dualistic notions of simple convergence and divergence between constituent parts of the UK (Williams and Mooney 2008 496). While these institutional perturbations do matter, they do not capture fully the fluctuating dynamics of the social and political in the UK, nor what might come out of that in terms of Scottish identity and its relationship to social rights.

One perhaps might question whether homogeneity or one binding Scottish identity would be necessary or sufficient to create a sense of belonging or social solidarities. The lessons from the British experience appears to provide significant grounds for caution in that regard. That is, the notion of British identity as unifying glue downplays fissures evident throughout British society as well as the fluidity of identity formations. Singular national identities are almost by definition exclusive, meaning questions remain regarding the place of the 'other'. In practice, this might mean that migrants and minorities are expected to integrate into 'Britain', not local or co-ethnic communities and not social class, but an amorphous set of ill-defined values. For Williams and Mooney sub-states *within* the UK have become 'primary sites for the contestation of social citizenship', while sub-states internationally have been the key venues of innovation in immigrant policy (see Hepburn and Zapata-Berrero 2014). Social policy within such processes are therefore often where such contestation plays out.

Taking the notion of Britishness again, there is no inevitability that 'other' identities are or should become subordinate to one national identity as the UK Government appear to desire. Indeed, we would argue that a universalist approach to social goods can facilitate people negotiating a sense of who they might be, and this then creates the possibility for society that is both more comfortable in its own diversity but also imbued with potential solidarities. Creating such a 'national' identity would be enacted through a range of positive, open, and progressive social policy measures that recognise universal claims-making rather than a specific policy on identity, integration or belonging, thus avoiding the pitfalls highlighted by Calhoun (2003). While Arendt's (1973) famous dictum offers a dramatic sense of what is at stake in terms of human rights. Calhoun (2003) provides the underpinning to the current analysis. Thus, rather than advocating 'British jobs for British workers' (see Gordon Brown speech to Labour Party conference in 2007), the aim might be for reasonable jobs for all workers. Similar trite but accurate observations can be made around other social policies be it in housing, education, or health. In such cases argument needs to extend beyond both the limiting trajectory of UK policy and the constrained universalism of Holyrood.

Such an approach links to the notion of identity as a social construction, viewing it as fluid and negotiated, and thus contingent (see though Brubaker and Cooper 2000 on weak constructivism). Barth (1969) views this construction as concerning social boundaries between groups. It is therefore linked to issues of rights in that the stratification of rights *produces* social boundaries. That is, the ascriptions of specific identities by others, or by the state, contributes to the creation of categorisations such as deserving and undeserving. However, as Virdee et al (2006) point out, at the local level in Scotland racialized notions of Scottishness have been challenged as part of this boundary negotiation. Thus, an intersecting mix of structure and agency informs identity and belonging. The imposition of identity, sometimes by policy, always leaves scope for new solidarities and resistance. Individuals therefore possess 'layers' of identity both ascribed and prescribed and imbued with power struggles, struggles to access rights, and struggles that help to form solidarities. The focus on personhood highlighted by Benhabib (1996) becomes a key development in this case. Should access to rights be based on personhood, then these identities can become less prescribed and more organic, or even less important.

As such, identity might be productively fused with Frodin's (2013) claim that neither national nor post-national identities would be *essential* sources of political order in the context of

multifarious sources of identity and identification. Further to that it might be ventured that the hegemony of the social order would in a sense be maintained through restrictions on the right to have rights as a necessary character of exclusion. Notwithstanding the currently centralized control of immigration policy in the UK we argue that the inclusive access to rights would challenge that hegemony.

Beyond the Dual Identity in Scotland – discussion and conclusions

The Scottish referendum offers significant opportunity for learning about identity formations. Lessons perhaps hint at a form of civic nationalism promoted by Yes Scotland, but one that would move beyond present simplistic unitarist notions of national interest presented by both UK and Scottish governments. The extent to which a process in which a new civic as opposed to an ethnic nationalism in Scotland is currently underway is the subject of debate between leading commentators (see for example that between Devine and Tompkins). While clear indicators are difficult to categorically establish Devine (2017) claims that the rise in support for Scottish nationalism among different ethnic groups suggests a move towards a new civic nationalism. Similarly Arshad (2016) noted recent research that found a positive affiliation among black and minority ethnic young people to Scotland and Scottishness.

We argue that for migration the aim should be to develop an identity ‘in-process’, not an enclosure but one that engages with class, race, and boundary negotiation as a means of creating solidarities. This negotiation itself ‘occur[s] within particular social contexts and relations of power’ (Dean 2015 132). Within the debate on identity and the Scottish referendum, discussion tended to be overly centred on Britishness, Scottishness, or a hybrid of the two. Indeed much of the debate revolved around arguments about affectation, about feeling British or feeling Scottish, which neither encapsulates the potential *for* Scotland nor captures the reality of life *in* Scotland. The fact that the minority ethnic population of Scotland has more than doubled between 2001 and 2011 (Simpson 2014) suggests that these dual categories, while always problematic, are now even more so. A key question then is what, if anything, might replace them?

If identity is not fixed but contextual and contingent, at least part of our concern remains around the degree to which belonging would be desired and facilitated. To perhaps oversimplify, the question revolves around degrees to which residents would feel that where they live is home, what home and would then mean. Thus, the question of how to create

affiliation but without necessarily demanding loyalty to a specific form of nation-building (Kymlicka 2011). A belonging/not belonging binary is reductively related in our view to the construction of categories of deserving and undeserving, encompassing both new and existing populations. Breaking down exclusionary notions of deserving and undeserving would be a major undertaking but one that offers the potential for creating a sense of belonging as well as solidarities between communities. These solidarities can both reflect and refract the creation of domain consensus (Frodin 2013), one based on mutually accepted universal access to social goods. In so doing new norms can also emerge.

Williams and Mooney (2008 499) point out that “devolution was not intended to produce radically different citizenship rights across the nations, but by definition [it] has the potential to produce differing experiences of welfare as these interrelation with factors of place, history, and ways of life as well as differing popular imaginings of welfare”. This potential, however, remains constrained by existing social relations of welfare and conceptualisations of identity. That is, class, race and gender distinctions remain, alongside various statuses of migrants each with their own set of rights, including in the right to access welfare at all. For the prospect of a more open inclusive sense of identity to be realised would require awareness of these issues alongside ways in which belonging would be inclusive of the perspective of the ‘other’. While this would not necessarily lead to a sense of an identity for itself, with all of the political dimensions that it would imply, an identity in itself, not based on country of birth or primordial conceptions, opens up the possibility of political change. Indeed, the very process by which identity opens up would create possibilities for its diminishing importance, although as Calhoun (2008) notes, there are unmistakable dangers of excessive individualism should collective identity diminish. This dialectical relationship allows for the possibility of identity becoming imbued with other forms of solidarities and is therefore inherently political. Reciprocity and human interdependency (Dean 2015 133) are key elements in this construction. While UK Governments consistently seek to convey the importance of tolerance, and indeed have created their own mythologies about British tolerance, as Kofman points out, such tolerance implies the goodwill of the dominant (Kofman 2005 462). This power deficit seems too fragile a basis on which to proceed. Instead, we argue for migrants to have the opportunity to join existing social groups on an equal basis to existing members, be they classes or other societal populations. Such processes would be less dependent on the espoused and statutory tolerance of the dominant. Having rights but also being seen to have

the right to have rights allows for this possibility, and might even be considered pivotal to that.

However, the promise of such an approach requires a transformational perspective on both politics and identity to take place, one that would challenge both Scottish mythologies and the present political system. Uberoi and Modood (2013 36) suggest that state policies *can* make identity more inclusive. Thus the question might be how to do so, how to open up identity to reciprocity and belonging. Many studies suggest that unequal access and outcomes in both housing and the labour market inhibit identification with the communities in which migrants live (Lesser 1999, Triandafyllidou and Veikou 2002). This partly concerns non-recognition of skills and qualifications but also has discrimination at its heart (see for example Catney and Sabater 2015). However, existing and long-term populations in many areas also suffer from lack of jobs and poor quality housing. Thus in calling for equal access to housing and employment does not suggest migrants supplanting existing workers or tenants. Indeed, it is the very commonality of experiences that are important, and are implicitly recognised by the UK Government. Deprived working class communities are said to need 'inclusion' and migrants 'integration'. Each concept pre-supposes therefore a lack of that 'commodity' at present, and each is constructed in a way that suggests exclusion and a lack of integration as an individualised entity and process, despite the central *commonality* of experiences that suggest structural rather than individual barriers to inclusion/integration. Labour market stratification becomes located in individual capital, and thus responsibility is seen as lying with the individual. It is our contention that all deprived communities face barriers of similar types, although clearly differences are also evident. This sense of commonality can be built upon.

What we suggest is that identity is not something that can or indeed should be the specific focus of a policy. Policy approaches that tend in that direction, like absolutist attempts to delimit identity, are likely to end in failure. Instead, identity formation should be left to individuals and communities to negotiate within the rubric of recognition, in this case to a sense of belonging to a political community called Scotland. This, we argue, would be positively facilitated by well-developed social policy, that recognises that all within that political country have the right to have rights. Once accepted and practiced then other forms of solidarity become possible. As such, where policy *can* have an impact is around broader politics and policy. Such an argument conforms to some of the critique of individualist cosmopolitanism highlighted by Calhoun (2003).

A central point here is that we do not need to choose between two caricatures of social solidarity, identity, ethnicity, or, more generally, groupness. It is neither simply a matter of inheritance and essential commonality nor a matter of free-flowing ubiquitous and undetermined construction. It is socially produced, shaped by material factors, culturally organized and yet also open to human action (Calhoun 2003 549).

It is not outside the bounds of possibility to begin to imagine a sense of belonging in Scotland that acknowledges diversity encompassed by an approach that seeks to avoid delineating the population according to rights and entitlements, viewing the claims making of all residents as equally valid, while also acknowledging 'groupness' and identities that people embrace. In so doing, not only do we feel that the complexity and potential conflict over identity in modern states would be countered, but we also believe that this could reinforce the notion of progressive social policy as an enabling project. Such a "'social state' is the ultimate modern embodiment of the idea of community" (Bauman 2007 68). The social relations of welfare remain crucial, but to be involved in those social relations requires access. The aim therefore is to create a sense of belonging both among long-term and newer residents based on residency, personhood, and being rather than legal status. The right to have rights, and just as importantly being seen as having the right to have rights in a relationship of reciprocity plays a key role in the attempt to create a social state. Belonging can be nurtured from the creation of one status, no denizens, no helots but social policy and practice that accepts the claims making of all residents.

The argument constitutes an appeal to a migration and settlement policy that is open to a new sense of identity, of self and of a local, a national, and an international world community alongside a person centred social policy architecture that consciously removes the concept of rights stratification. The continuing direction of policy-making at the Westminster level of government is predicated on incoming populations having temporary status and the creation of a set of stratified rights where different legal categories of people have different sets of rights attached to their status. While Home Secretary Teresa May argued for the need for people living in Britain having a sense of belonging, but simultaneously that it is 'too easy at the moment to move from temporary residence to permanent settlement' (Home Office 2010). This paper argues that these perspectives are both clearly contradictory and unworkable. Removing the national/foreigner binary logic of migration policy may not be

possible given the politics of the UK and the present constitutional settlement that reserves immigration to Westminster, a politics made all the more febrile after the Brexit vote. However, it is our contention that there remains rich possibility for doing so within immigrant policy alongside social policy in Scotland. As Benhabib (2006: 69) suggests, the politics of peoplehood comes down to processes of negotiation, “the constitution of; ‘we, the people’” is a “fluid, contentious, contested and dynamic process”. Social policy can act to include or exclude in a way that either allows newer arrivals in Scotland to become part of ‘we’ or ‘us’ or forces them to remain an ‘other’. We believe that now is a key moment for pushing the former approach.

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